

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 604

Case No. 88-22

(Map Amendment - Brookland II)

February 13, 1989

The application in Z.C. Case No. 88-22 was filed on August 24, 1988 and is a request from James Kenneth Price to amend the Zoning Map of the District of Columbia from R-1-B to C-2-A for lot 15 in Square 3928.

On April 24, 1987, the applicant filed a similar application to amend the Zoning Map from R-1-B to C-2-A for the same site. By Z.C. Order No. 552 dated September 21, 1987, the Zoning Commission denied that application without a public hearing.

The site is located at 1215 Newton Street, N.E., and comprises 7500 square feet of land area. Lot 15 is zoned R-1-B, measures 50x150 feet, and is improved with a vacant detached structure which was totally damaged by fire in 1986.

The structure on the site was constructed circa 1905 and used as a single-family dwelling until 1979, at which time it became used as a shelter for battered women. In 1984, the structure reverted to its original use until the fire.

The applicant requested the change of zoning to allow for the property to be redeveloped with a multi-family residential condominium apartment building. By letter dated August 24, 1988 from his attorney, the applicant proposed that the condominium apartment building include approximately twelve (12) dwelling units for low and moderate income families with underground parking for twelve automobiles.

The applicant indicated that the project would be marketed for ownership under a condominium regime. He also proffered to executive a covenant that would restrict the development of the property to multi-family residential use.

The R-1-B District permits matter-of-right development of single-family residential uses for detached dwellings with a minimum lot area of 5,000 square feet, a minimum lot width

of fifty (50) feet, a maximum lot occupancy of forty (40) percent, and a maximum height of three stories/forty feet.

The C-2-A District permits matter-of-right low density development, including office, retail and all kinds of residential uses, with maximum floor area ratios (FAR) of 2.5 for residential uses and 1.5 for non-residential uses, a maximum height of fifty (50) feet, and a maximum lot occupancy of sixty (6) percent for residential uses.

To the immediate north, northeast, east, southeast, and south of the site is R-1-B zoning. This is the overwhelmingly predominant category on the Newton Streetfrontage. To the immediate southwest, west, and northwest of the site, along 12th Street, is C-2-A strip zoning.

Uses in the immediate area of the site include many detached single-family residential structures to the north, northeast, east, southeast and south. To the southwest, west, and northwest area are many small neighborhood-type businesses, including office, retail and service commercial uses along the 12th Street commercial corridor.

On February 13, 1989, at its regular monthly meeting, the Zoning Commission for the District of Columbia considered the application to determine whether to authorize the scheduling of a public hearing for the application.

The District of Columbia Office of Planning (OP), by preliminary report dated February 3, 1989, recommended that the Zoning Commission deny the application without a public hearing. OP concluded that the application did not have sufficient merit to be set down for hearing. OP stated, in part, the following:

In the opinion of the Office of Planning, the present application is essentially the same as the previous application filed by the applicant last year (Z.C. Case No. 87-21). The concerns raised by the Office of Planning in that case are applicable in the present case also. Although the applicant expresses willingness to enter into a covenant that would restrict the property to residential use only; copy of the proposed covenant is not available on record. Therefore, in the opinion of OP, the subject case does not have sufficient merit to be heard in a public hearing.

Advisory Neighborhood Commission - 5A did not file a statement whether it supported or opposed the scheduling of a public hearing.

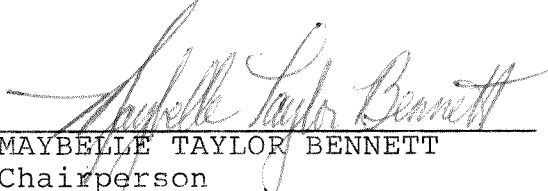
No letters were received in support of or opposition to the application.

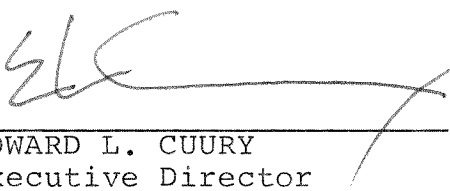
The Zoning Commission concurs with the recommendation of the Office of Planning, and concludes that there is insufficient merit to warrant a public hearing on the application.

The Zoning Commission believes that the application is not in the best interest of the District of Columbia, is inconsistent with the intent and purpose of the Zoning Map and Zoning Act, and is inconsistent with the Comprehensive Plan for the National Capital.

Upon consideration of the reasons set forth herein, the Zoning Commission DENIES Case No. 88-22 without a public hearing.

Vote of the Zoning Commission taken at its regular public meeting on February 13, 1989: 5-0 (John G. Parsons, Lindsley Williams, Maybelle Taylor Bennett, Elliott Carroll, and Lloyd D. Smith, to deny without a hearing).

  
MAYBELLE TAYLOR BENNETT  
Chairperson  
Zoning Commission

  
EDWARD L. CUURY  
Executive Director  
Zoning Secretariat